

Title 33 STATE BOARD OF ELECTIONS
Subtitle 04 INSPECTION AND COPYING OF PUBLIC RECORDS
Chapter 01 In General (5/16)

Authority: Election Law Article, §§2-102(b)(4), 3-204.1, and 3-506(a)(2); State Government Article, §§10-613(b), 10-615(2)(i), and 10-621; Annotated Code of Maryland

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) – (5) (text unchanged)

(6) Personal Identification Number.

(a) "Personal identification number" means:

(i) The Motor Vehicle Administration (MVA) identification number of an individual having a Maryland driver's license or an MVA identification card; [or]

(ii) *The date the MVA issued a Maryland driver's license or an MVA identification card; or*

[(ii)] (iii) An individual's full, nine-digit Social Security number.

(b) (text unchanged)

(7) (text unchanged)

Title 33 STATE BOARD OF ELECTIONS
Subtitle 05 VOTER REGISTRATION
Chapter 01 Definitions; General Provisions (5/3)

Authority: Election Law Article, 2-102(b)(4), 2-202(b), [and] 3-101, and 3-204.1, Annotated Code of Maryland

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) *"Absent uniformed services voter" has the meaning stated in 42 U.S.C. §1973ff-6.*

[(1)] (2) – [(4)] (5) (text unchanged)

[(5)] (6) "Motor vehicle voter registration application (MVRA)" means the voter registration application [form] that the State Board has approved for use by the MVA.

[(6)] (7) (text unchanged)

(8) *"Online voter registration system" means the State Board's online system that allows an individual to electronically:*

(a) *Apply to become a registered voter; or*

(b) *Change the individual's name, address, or party affiliation in the individuals' existing voter registration record.*

(9) *"Overseas voter" has the meaning stated in 42 U.S.C. §1973ff-6.*

[(7)] (10) *Statewide Voter Registration Application.*

(a) "Statewide voter registration application (Statewide VRA)" means the voter registration application [form] that the State Board has prescribed for Statewide use.

(b) *The Statewide VRA may be a paper form or an online submission using the State Board's online voter registration system.*

(11) *"Uniformed services" has the meaning stated in 42 U.S.C. §1973-ff-6.*

[(8)] (12) – [(10)] (14) (text unchanged)

Title 33 STATE BOARD OF ELECTIONS
Subtitle 05 VOTER REGISTRATION
Chapter 02 [Forms] Voter Registration Applications (5/2)

Authority: Election Law Article, 2-102(b)(4), 2-202(b), 3-101, [and] 3-202, and 3-204.1,
Annotated Code of Maryland

.02 Paper Statewide VRA — Contents.

A. Required Contents. Every *paper* Statewide VRA shall:

(1) – (7) (text unchanged)

B. Required Notification. The following information shall be made available to each applicant who is completing a *paper* Statewide VRA:

(1) – (4) (text unchanged)

(5) A statement that, except for an applicant's full Social Security number or MVA identification number, voter registration records are generally available for public inspection and may be shared with jury commissioners, clerks, or other government agencies as provided by law, and that use of voter registration [records] *lists* for commercial solicitation purposes is prohibited; and

(6) (text unchanged)

C. (text unchanged)

.03 Online Submission of the Statewide VRA – Contents.

A. *Authentication.*

(1) *The online voter registration system shall authenticate each applicant.*

(2) *Except as provided in §A(3) of this regulation, each applicant shall enter:*

(a) *The applicant's Maryland driver's license or MVA identification card number;*

(b) *The date the applicant's driver's license or identification card was issued;*
and

(c) *The last four digits of the applicant's Social Security number.*

(3) *If an applicant is an absent uniformed services voter or an overseas voter who does not have a Maryland driver's license or MVA identification card number, the applicant shall enter the last four digits of the applicant's Social Security number.*

(4) *The online voter registration system shall immediately verify the information required in §A(2) of this regulation with information on file with MVA.*

(a) *If the MVA verifies the information, the applicant may submit the Statewide VRA via the online voter registration system.*

(b) If the MVA cannot verify the information, the applicant shall submit the paper Statewide VRA.

B. Required Contents. The State Board's online voter registration system shall:

(1) Include fields for the applicant to:

(a) Enter the information required by COMAR 33.05.04.03A;

(b) Designate a party affiliation;

(c) If the applicant has a current and valid Maryland driver's license or MVA identification card, provide the MVA identification number and the date MVA issued the current license or identification card; and

(d) Provide the last four digits of the applicant's Social Security number.

(2) State the effect that a party affiliation designation will have on the ability to vote in primary elections;

(3) State the penalties for the submission of a false application;

(4) Require the applicant to affirmatively consent to use, as the applicant's signature for the Statewide VRA, the:

(a) Electronic copy of the applicant's signature that is on file with MVA; or

(b) If the applicant is an absent uniformed services voter or an overseas voter who does not have a Maryland's driver's license or MVA identification card number, the applicant's last four digits of the applicant's Social Security number.

(5) Require the applicant to swear or affirm, subject to the penalties of perjury, that the:

(a) Information entered by the applicant is true to the best of the applicant's knowledge, information, and belief; and

(b) Applicant meets all the qualifications to become a registered voter.

C. Required Notification. The online voter registration system shall include a link to:

(1) The qualifications to become a registered voter; and

(2) A statement that, except for an applicant's MVA identification number, voter registration records are generally available for public inspection and may be shared with jury commissioners, clerks, or other government agencies as provided by law, and that use of voter registration lists for commercial solicitation purposes is prohibited.

D. Prohibited Matters. The online submission of the Statewide VRA may not require:

(1) Notarization or other formal authentication; or

(2) Any additional information, other than the information necessary to enable election officials to:

(a) Determine the eligibility of the applicant; and

(b) Administer voter registration and other parts of the election process.

[.03] .04 Paper Version of the Statewide VRA — Production and Cost.

A. In General. The State Board shall design and produce the *paper* Statewide VRA.

B. – C. (text unchanged)

[.04] .05 MVRA.

A. – B. (text unchanged)

C. The State Board shall provide language for [the] any [voter registration application] application related to voter registration [portion of the MVA change of address form and the

Call Center voter registration form used by the MVA Customer Service Center and shall approve the forms] before MVA may *use or* distribute [them] *the application*.

[.05] .06 (text unchanged)

Title 33 STATE BOARD OF ELECTIONS
Subtitle 05 VOTER REGISTRATION
Chapter 03 Dissemination of VRA Forms (5/2)

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 3-101, 3-203, [and] 3-204, *and* 3-204.1, Annotated Code of Maryland

.01 Responsibilities of Election Officials.

A. (text unchanged)

B. Services to Be Provided.

(1) Each local board office shall:

(a) (text unchanged)

(b) [If it has an Internet web site, provide] *On its website, provide* a link to [that portion of the State Board web site where the Statewide VRA is posted] *the State Board's online voter registration system*;

(c) – (e) (text unchanged)

(2) For peak periods, local boards are encouraged to:

(a) Use an automatically answered telephone service that provides 24-hour access, [notifies] *informs* callers that [VRAs are available on-line] *individuals can register to vote online at SBE's website*, and allows an individual to leave a name and mailing address, email address, or facsimile number to which a VRA shall be sent; and

(b) (text unchanged)

(3) (text unchanged)

C. (text unchanged)

.03 MVA Registration.

A. (text unchanged)

B. Receipt and Forwarding of VRAs.

(1) *Paper MVRA.*

(a) When [an] *a paper MVRA* is completed and returned to the MVA, the MVA shall stamp the MVRA with the date received.

[(2)] (b) Within 5 days after receiving the *paper MVRA*, the MVA shall forward the *paper MVRA* to the appropriate local board office. If the MVRA indicates that the applicant is currently registered to vote in Maryland and has moved, the MVA shall forward the MVRA to the local board office in the county where the current address is located.

(2) *Electronic MVRA.*

(a) *When an electronic MVRA is completed, the MVA shall electronically forward to the State Board the MVRA and the applicant's digitized signature.*

(b) *The MVA shall forward to the State Board the MVRA and the applicant's digitized signature daily.*

C. (text unchanged)

Title 33 STATE BOARD OF ELECTIONS
Subtitle 05 VOTER REGISTRATION
Chapter 04 Processing VRAs and Other Requests (5/2)

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 3-101, 3-204.1, and 3-301—3-304, Annotated Code of Maryland; 42 U.S.C. 15483(b)(2)

.03 Required Information.

A. (text unchanged)

B. Signatures.

(1) – (3) (text unchanged)

(4) *For the online submission of the Statewide VRA, a signature for an absent uniformed services voter or an overseas voter is the individual's last four digits of the individual's Social Security number.*

C. – D. (text unchanged)

Title 33 STATE BOARD OF ELECTIONS
Subtitle 11 ABSENTEE BALLOTS
Chapter 01 Definitions; General Provisions (5/3)

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 9-305, 9-306, 11-301, 11-302, and 11-304, Annotated Code of Maryland

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) – (2) (text unchanged)

(3) "Electronic transmission" means transmission by:

(a) Email; [or]

(b) *Internet; or*

[(b)] (c) Facsimile.

(4) – (7) (text unchanged)

Title 33 STATE BOARD OF ELECTIONS
Subtitle 11 ABSENTEE BALLOTS
Chapter 02 Applications (5/3)

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 9-305, 9-306, 11-301, and 11-302, Annotated Code of Maryland

.01 In General.

A. (text unchanged)

B. Methods of Applying. An application for an absentee ballot may be made by:

(1) Formal [application] *request*, as provided in Regulation .02 of this chapter;

(2) (text unchanged)

(3) [Late, in-person application] *In-person request*, as provided in Regulation .04 of this chapter.

C. (text unchanged)

D. *Timely Request.*

(1) *A request is timely if the local board receives the request by the applicable deadline in §D(2) of this regulation.*

(2) *If voter's request was submitted:*

(a) *By electronic submission and the voter requested the absentee ballot be sent by:*

(i) *Mail or facsimile, the request must be received on or before 11:59.59 pm on the Tuesday before the election; or*

(ii) *Internet, the request must be received on or before 11:59.59 pm on the Friday before the election;*

(b) *By mail and the voter requested the absentee ballot be sent by:*

(i) *Mail or facsimile, the request must be received on or before 8 pm on the Tuesday before the election; or*

(ii) *Internet, the request must be received on or before 5 pm on the Friday before the election; or*

(c) *In person by the voter or the voter's authorized agent, the request must be received on or before 8 pm on election day.*

[D.] *E. Third-Party Submission.* An individual or organization receiving a completed absentee ballot application from a voter shall submit the application to the appropriate local board within two business days of receiving the application or by the deadline to submit an absentee ballot application established in [Regulations .02 and .03 of this chapter] §D(2) of this regulation, whichever occurs first.

[E.] *F. – [F.] G. (text unchanged)*

.02 Formal [Application] Request.

A. In General. A formal [application] request for an absentee ballot may be made to a local board only:

(1) On [a form] *the paper or the online version of the absentee ballot application* prescribed by the State Board; or

(2) (text unchanged)

B. Dissemination of Forms.

(1) (text unchanged)

(2) Website Posting.

(a) The State Board shall post *on its website* the [State Board-prescribed form] *paper version of the absentee ballot application* [on its website] *and provide a link to the online absentee ballot application.*

(b) A local board, on its website, shall [either:

(i) Post the State Board-prescribed form] *post the paper version of the absentee ballot application* [; or] *and*

[(ii) Link] *link to the [form] online version of the absentee ballot application* on the State Board's website.

(c) The [State Board-prescribed form] *absentee ballot application* shall be posted in a way that precludes altering its content.

(3) (text unchanged)

C. *Online Absentee Ballot Application – Voter Authentication.*

(1) *The online absentee ballot application shall authenticate each voter.*

(2) *Except as provided in §C(3) of this regulation, each voter shall enter:*

(a) *The voter's driver's license or MVA identification card number;*

(b) *The date the voter's driver's license or identification card was issued; and*

(c) *The last four digits of the voter's Social Security number.*

(3) *If a voter is an absent uniformed services voter or an overseas voter who does not have a Maryland driver's license or MVA identification card number, the voter shall enter the last four digits of the voter's Social Security number.*

(4) *The online absentee ballot application shall immediately verify the information required in §C(2) of this regulation with information on file with MVA.*

(a) *If the MVA verifies the information, the voter may submit the online voter registration application.*

(b) *If the MVA cannot verify the information, the voter shall submit the paper version of the absentee ballot application.*

[C.] D. (text unchanged)

[D.] E. **Deadline for Receipt of Application.** An application under this regulation must be received by the local board [as follows:

(1) On or before 11:59:59 p.m. of the Tuesday preceding election day for an application submitted by electronic transmission; and

(2) On or before 8 p.m. of the Tuesday preceding election day for all other applications] *by the deadline in Regulation .01D of this chapter.*

[E.] F. (text unchanged)

.03 Informal, Written Request.

A. – D. (text unchanged)

E. **Deadline for Receipt of Request.** A request under this regulation must be received by the local board [as follows:

(1) On or before 11:59:59 p.m. of the Tuesday preceding election day for a request submitted by electronic transmission; and

(2) On or before 8 p.m. of the Tuesday preceding election day for all other requests] *by the deadline in Regulation .01D of this chapter.*

F. (text unchanged)

.04 [Late,] In-Person [Application] Request.

A. In General.

(1) [After the deadlines specified in Regulations .02 and .03 of this chapter, a late application may be made in person, by the voter or the voter's authorized agent, on a special, late application form prescribed by the State Board.] *A voter or a voter's authorized agent may submit a request for an absentee ballot at the local board.*

(2) [The procedure provided for in this regulation may be used until the closing of the polls on election day.] *A request under this regulation must be received by the local board by the deadline in Regulation .01D of this chapter.*

B. (text unchanged)

[C. **Electronic Transmissions.** A local board may issue a late application form by electronic transmission.]

Title 33 STATE BOARD OF ELECTIONS
Subtitle 11 ABSENTEE BALLOTS
Chapter 03 Issuance and Return (5/3)

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 9-305, 11-301, 11-302, and 11-304, Annotated Code of Maryland

.04 Envelopes.

A. [Special] *Outgoing* Envelopes [Required]. Absentee ballots sent by mail shall be enclosed in specially printed envelopes.

B. *Return Envelopes.*

(1) *If an absentee ballot is sent by mail, the mailing shall include an envelope for the voter to use to return the voted ballot.*

(2) *If an absentee ballot is sent by electronic transmission, the transmission shall include an envelope template showing the voter how to address the return envelope.*

[B.] C. (text unchanged)

[C.] D. Request for Personal Identification Information on Return Envelope. If an individual is required to show personal identification information under COMAR 33.11.02.07, the [election director] *absentee ballot mailing* shall *clearly* indicate [on the return envelope] that personal identification information is required.

Title 33 STATE BOARD OF ELECTIONS
Subtitle 17 EARLY VOTING
Chapter 03 Public Notice of Early Voting (5/3)

Authority: Election Article, §§2-102(b)(4) and 10-301.1(h), Annotated Code of Maryland

.01 Public Education Plan.

A. Plan Development.

(1) (text unchanged)

(2) Minimum Components. The plan shall include:

(a) A preelection mailing that:

(i) Is sent to all active, registered voters *at least one week before early voting starts*; and

(ii) (text unchanged)

(b) – (d) (text unchanged)

(3) (text unchanged)

B. – C. (text unchanged)